

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

TYLER KLINGENSMITH

PLAINTIFF

v.

Civil No. 5:18-cv-05153

DEPUTY ADRIAN CRUZ;
LIEUTENANT ROBIN HOLT;
DEPUTY ADAM CHANDLER;
ET AL.

DEFENDANTS

OPINION

Plaintiff, Tyler Klingensmith, filed this action pursuant to 42 U.S.C. §1983. He proceeds *pro se* and *in forma pauperis*.

When he filed this case, Plaintiff was specifically advised (ECF No. 4) that he was required to immediately inform the Court of any change of address. If Plaintiff was transferred or released, Plaintiff was told he must advise the Court of any change in his address by no later than thirty (30) days from the time of his transfer to another facility or his release. Additionally, Rule 5.5(c)(2) of the Local Rules for the Eastern and Western Districts of Arkansas requires *pro se* parties to “promptly notify the Clerk and other parties to the proceedings of any change in his or her address, to monitor the progress of the case, and to prosecute or defend the action diligently.”

On September 21, 2018, mail was returned to the Court (ECF No. 13) as undeliverable with a notation that Plaintiff was no longer incarcerated at the Benton County Detention Center. Plaintiff had until October 22, 2018, to provide the Court with his new address. On October 22, 2018, mail was again returned as undeliverable from the Benton County Detention Center.

To date, Plaintiff has not provided a new address or contacted the Court in anyway. Accordingly, this case is **DISMISSED WITHOUT PREJUDICE** pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 5.5(c)(2) of the Local Rules for the Eastern and Western Districts of Arkansas. Defendants Motion to Compel (ECF No. 16) is denied as moot.

IT IS SO ORDERED on this 29th day of October 2018.

/s/ P. K. Holmes, III

P. K. HOLMES, III
CHIEF U.S. DISTRICT JUDGE